

### **REMARKS**

Claims 1-20 are pending in this application. Of these pending claims, Claims 1-20 stand rejected. By way of this paper, Claims 1-2, 8-9 and 14-15 have been amended.

The foregoing amendments and following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the application in condition for allowance. No new matter has been added via this amendment.

### **Claim Rejections – 35 U.S.C. § 103**

Claims 1-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Verghese EP 1096364 A2 ('364) reference ("Verghese") in view of the Hewitt U.S. Pat. No. 7016061 ('061) reference ("Hewitt"). Claims 1-2, 8-9 and 14-15 have been amended in order to clarify the present invention.

It was stated in page 4 of the office action that the cited Hewitt reference discloses "an order of processing said printing instructions" .... "by deciding whether the image data is RIPPed in the host computer (12) or in the imaging device (14) based on the processing time [see fig. 1-4; col 7, lines 51-67 and col. 8, lines 1-27]". Applicant's representative fails to understand how Hewitt in selecting between RIPPing at the host computer or at the imaging device depending on which device is estimated to RIP faster renders obvious "order of processing" (see comment at page 4, second to last paragraph) since the order of processing of said printing instructions is not changed in Hewitt, simply which device is performing the processing. The Verghese reference simply teaches using a complexity metric to estimate the time to print, and is silent on order of processing. Applicant agrees with the Examiner's comment on page 3 of the office action that Verghese fails to teach evaluating the printing instructions based on the processing time.

Unlike that which is taught in the Verghese or Hewitt references, in the present application, the complexity prediction performed can be used to change as an illustrative example from a traditional page flow (e.g., first page, second page, etc. or last page, second-to-last page, etc.), to a different page order sequence (i.e., first page, sixth page, third page, etc.) that can be used to better utilize the

available resources in a fashion that permits faster end-to-end processing based on the complexity prediction for each of the pages that need to be operated on.

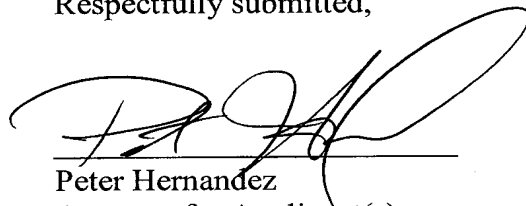
Independent claims 1, 8 and 14 have been amended to recite **“adjusting the order of the printing instructions based on said evaluation of the printing instructions”** in order to further clarify the claimed invention. Given that the cited Hewitt and Verghese references taken individually or in combination fail to teach or suggest such a limitation, it is believed that claims 1, 8 and 14 are in condition for allowance. Dependent claims 2-7, 9-13 and 15-20 which add further nonobvious features to their corresponding independent claims are also believed to be in condition for allowance.

### **CONCLUSION**

It is respectfully submitted that, in view of the above amendments and remarks, this application is now in condition for allowance, prompt notice of which is earnestly solicited.

The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this application towards allowance.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.